



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 00-1206-B)

PATENT

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10-28-02  
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In the Application of: )  
 )  
 Alex Burgin, et al )  
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 Application No.: 09-993,245 )  
 )  
 Filing Date: November 14, 2001 )  
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 )  
 For: Structures and Methods for Designing )  
 Topoisomerase I Inhibitors )

Examiner: TBA

Group Art Unit: 1623

Confirmation No. 7743

Commissioner for Patents and Trademarks  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In order to comply with discretionary regulations 37 CFR §§1.97 and 1.98, attached hereto is Form PTO-1449, copies<sup>1</sup> of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. Kim, et al., U.S. Patent No. 6, 039,804, issued 03/21/00
2. Berger, J., "Structure of DNA Topoisomerases," *Biochimica et Biophysica Acta* 1400 p. 3-18 (1998)
3. Giegè, R., et al., "Crystallogenesi of Biological Macromolecules. Biological, Microgravity and Other Physicochemical Aspects," *Prog. Crystal Growth and Charact*, Volume 30, p. 237-281 (1995)

<sup>1</sup>To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to undersigned.

4. Pommier, Y., et al., "Mechanism of action of eukaryotic DNA topoisomerase I and drugs targeted to the enzyme," *Biochimica et Biophysica Acta* 1400, p. 83-106 (1998)
5. Redinbo, M., et al., "Novel Insights into Catalytic Mechanism from a Crystal Structure of Human Topoisomerase I in Complex with DNA," *Biochemistry*, Volume 39, p. 6832-6840 (2000)
6. Redinbo, M., et al., "Structural Flexibility in Human Topoisomerase I Revealed in Multiple Non-isomorphous Crystal Structures," *J. Mol. Biol.* Volume 292, p. 685-696 (1999)
7. Redinbo, M., et al., "Crystal Structures of Human Topoisomerase I Covalent and Noncovalent Complexes with DNA," *Science*, Volume 279, p. 1504-1513 (1998)
8. Stewart, L., et al., "A Model for the Mechanism of Human topoisomerase I," *Science*, Volume 279, p. 1534-1541 (1998)

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the

Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Dated: 10/17/02

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300 South Wacker Drive  
Chicago, Illinois 60606  
Telephone : (312) 913-0001  
Facsimile: (312) 913-0002

Respectfully submitted,



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Emily Miao  
Registration No. 35,285

Form PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
00-1206-BSerial No.  
09/993,245

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INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

Applicant: Alex Burgin, et al.

Filing Date: 11/14/01

Group: 1623

## U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date
	1.	6,039,804	03/21/00	Kim, et al.	117	206	09/9/98

## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes No

## OTHER DOCUMENTS - Including Author, Title, Date, Pertinent Pages, Etc.

	2.	Berger, J., "Structure of DNA Topoisomerases," <i>Biochimica et Biophysica Acta</i> 1400 p. 3-18 (1998)
	3.	Giegè, R., et al., "Crystallogenesi of Biological Macromolecules. Biological, Microgravity and Other Physicochemical Aspects," <i>Prog. Crystal Growth and Charact</i> , Volume 30, p. 237-281 (1995)
	4.	Pommier, Y., et al., "Mechanism of action of eukaryotic DNA topoisomerase I and drugs targeted to the enzyme," <i>Biochimica et Biophysica Acta</i> 1400, p. 83-106 (1998)
	5.	Redinbo, M., et al., "Novel Insights into Catalytic Mechanism from a Crystal Structure of Human Topoisomerase I in Complex with DNA," <i>Biochemistry</i> , Volume 39, p. 6832-6840 (2000)
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	8.	Stewart, L., et al., "A Model for the Mechanism of Human topoisomerase I," <i>Science</i> , Volume 279, p. 1534-1541 (1998)

Examiner

Date Considered

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with any communication.



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Commissioner of Patents and Trademarks  
Washington, DC 20231

Sir:

TRANSMITTAL LETTER

1. We are transmitting herewith the attached:
  - a) Information Disclosure Statement
  - b) U.S. PTO 1449 form with copies of 8 references
  - c) Return Receipt Postcard
2. With respect to additional fees:

No Additional Fee is Required.
3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents and Trademarks, Washington, D.C. 20231 on this 17 day of October, 2002.

Dated: OCT. 17, 2002

By: 

Emily Miao  
Reg. No. 35,285

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